

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:14-cr-00026-MR-DLH-2**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**TABATHA DIANNE BLACK,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court on the Defendant's letter, which the Court construes as a motion to reduce or modify the Defendant's sentence. [Doc. 76].

The Defendant seeks a modification or reduction of her sentence based upon her efforts at rehabilitation while incarcerated. [Doc. 76].

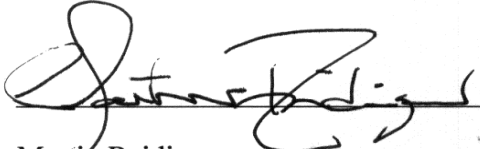
The Court may reduce or modify a sentence based only on the limited grounds listed in 18 U.S.C. § 3582(c). Post-sentencing rehabilitation is not among the enumerated grounds for relief, and none of the grounds identified in § 3582 are present here. See 18 U.S.C. § 3582(c). While rehabilitation may be considered when a defendant is being sentenced or resentenced, see Pepper v. United States, 562 U.S. 476, 490 (2011), it cannot serve as

an independent basis for a defendant to obtain a resentencing. See United States v. Morris, No. 7:02-cr-00128-GRA-1, 2013 WL 1303124, at \*1 (D.S.C. Mar. 28, 2013). Thus, while the Court commends the Defendant's rehabilitative efforts, her request for a reduction or modification of her sentence based on her post-sentencing rehabilitation must be denied.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's letter [Doc. 76], which the Court construes as a motion to modify the Defendant's sentence, is **DENIED**.

**IT IS SO ORDERED.**

Signed: December 19, 2016

  
Martin Reidinger  
United States District Judge

